

## REMARKS

This is intended as a full and complete response to the Final Office Action dated August 5, 2005, having a shortened statutory period for response set to expire on November 5, 2005. Please reconsider the claims pending in the application for reasons discussed below.

### ***Claim Rejections – 35 U.S.C. § 102***

Claims 2-5, 8, 11, 24-28 and 35-38 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,113,290 to *Miida*. In response, Applicants have canceled claims 2-5, 8, 11, 24-28 and 35-38, without prejudice.

### ***Claim Rejections - 35 U.S.C. § 103***

Claims 6, 7, 20 and 29-34 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miida* in view of WIPO application WO02/01102 (hereinafter "*Coulon*" which is also published in English as previously cited US2002/0163192, now U.S. Patent No. 6,712,401) and applicants' admitted prior art in the specification on pages 1-2. In response, Applicants respectfully traverse the rejection. Additionally, Applicants have canceled claims 6, 7 and 20 without prejudice.

The Examiner states that it would have been obvious to expand the coupling of *Miida* as needed as taught by *Coulon* and applicants' disclosure in order to provide a more secure coupling. Further, the Examiner states that "to expand a member that is threaded is to eliminate gaps between thread flanks to provide a secured connection of two members." However, the Examiner does not cite any documentary evidence to support these conclusions. In fact, there is no indication in the references whether the gaps in the coupling disclosed in *Miida* would be eliminated, reduced, maintained or even increased by expansion of the coupling based on any relative different expansion that may occur within the coupling. By way of example, Figures 4-7 in *Coulon* illustrate expansion of a connection (analogous to a connection shown in Figure 2 in *Miida*) where expansion causes *separation* of surfaces 15, 16 that were initially abutting as visible in these figures and stated at column 10, lines 22-24, of the '401 patent. Thus,

this separation shown in *Coulon* can act to further increase the gaps in the connection in *Miida* depending on where the gaps are located, the expansion technique, etc.

It is never appropriate to rely solely on “common knowledge” in the art without evidentiary support in the record as the principal evidence upon which a rejection is based. *In re Zurko*, 258 F.3d 1379, 1385 (Fed. Cir., 2001); MPEP § 2144.04. Specific knowledge of the prior art must always be supported by citation to some reference work recognized as standard in the pertinent art. Any facts, such as the Examiner’s assertion relating to a reason to combine the references, should be of a notorious character and serve only to “fill in the gaps” of peripheral issues in an insubstantial manner. However, the Examiner presently relies solely on this common knowledge assertion to satisfy a key legal requirement in order to make the obviousness rejection.

Furthermore, claim 29 recites the limitation that “selecting the spacing is based on an amount of the relative axial movement such that the relative axial movement is accommodated by the gaps.” However, any gaps in the connection disclosed in *Miida* do not have a spacing selected based on relative axial movement between corresponding flanks that occurs during expansion since *Miida* is silent regarding expansion and hence relative axial movement between corresponding flanks. *Coulon* cannot overcome this deficiency in *Miida* since there are no gaps separating flanks in the connection disclosed in *Coulon*. Therefore, *Miida* in view of *Coulon* fails to teach, show or suggest each and every element of claim 29.

Based on the foregoing, Applicants submit that claim 29 and all claims dependent thereon are allowable. Accordingly, Applicants respectfully request withdrawal of the rejection and allowance of the claims.

Claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Miida* in view of U.S. Patent No. 6,893,057 to *Evans*. Additionally, claim 22 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Beaulier* in view of *Evans*. In response, Applicants have canceled claim 22 without prejudice.

### ***New Claims***

Based at least on the above discussion of the references, *Miida* in view of *Coulon* fails to teach, show or suggest a second set of flanks with corresponding flanks of the

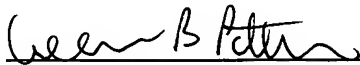
male and female thread portions separated from one another prior to expansion, and causing the male thread portion to axially extend and the female thread portion to axially contract by circumferentially expanding the tubular coupling, wherein the integrity is retained due to at least some of the second set of flanks abutting one another, as recited in claim 39. In fact, the claimed relative movement cannot occur in *Coulon* in order to provide the separation between surfaces 15, 16 in Figure 6, as previously discussed. Accordingly, Applicants respectfully request allowance of claim 39 and all claims dependent thereon.

Further, *Miida* in view of *Coulon* fails to teach, show or suggest a second set of flanks with corresponding flanks of the male and female thread portions separated from one another by gaps prior to expansion, and creating relative axial movement between corresponding flanks by circumferentially expanding the tubular coupling, wherein the relative axial movement at least partially closes the gaps and closing of the gaps occurs without substantially increasing interference forces produced between respective adjacent flanks in order to retain the integrity, as recited in claim 41. Accordingly, Applicants respectfully request allowance of claim 41 and all claims dependent thereon.

### ***Conclusion***

The references cited by the Examiner, alone or in combination, do not teach, show, or suggest the invention as claimed. Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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